

CEDA Regional Planning Commission
Regular Meeting – 2 p.m.
Thursday, December 8, 2005

Administration Building
of the former Springview Center
3130 East Main Street
Springfield, OH 45505

AGENDA

- | | | |
|---|---|------------------------------------|
| 1. Minutes – September 8, 2005 (Regular) | | <i>Discussion &
Action</i> |
| 2. Rezoning Case
05-Z-1 | M & H Fabricating Company, Inc.
City of Springfield * ~ 3.73 acres
2820 Dwight Rd.
I-1 to RM-12
<i>*in the process of annexation</i> | <i>Discussion &
Action</i> |
| 3. Subdivision
SB-2005-12 | Aberfelda Hills (Replat of Lots 21 and 22) - Final
Springfield Township ~ 2.025 acres ~ 2 lots
709 Shrine Rd.
Sheila Hageman Estate | <i>Discussion &
Action</i> |
| 4. Staff Comments | | <i>Discussion</i> |
| 5. Adjournment | | <i>Action</i> |

Minutes

Central CEDA Regional Planning Commission

Regular Meeting ~ 2 p.m.
Thursday, September 8, 2005

County Offices/Municipal Courts Building
Public Chambers
5th Floor, 50 East Columbia Street
Springfield, Ohio

Mr. Max Cordle, Chairperson of the Central CEDA Regional Planning Commission of Clark County Ohio, called the meeting to order at 2:00 p.m.

Present: Mr. Max Cordle, Mr. Gene Barnett, Mr. Alan Peczkowski, and Ms. Sally Riley.

Absent: Mr. Dan Kelly, Mrs. Kim Marshall, and Mr. Michael Spradlin.

RPC: 9-17-05: Minutes ~ July 7, 2005 (Regular Meeting)

Motion by Ms. Riley and seconded by Mr. Peczkowski to approve the minutes as presented.

VOTE: Motion carried unanimously.

05-SA-1 ~ Subdivision Amendments ~ City of Springfield

Mr. Chris Moore, City of Springfield Planning Staff presented the staff report. Mr. Moore highlighted information contained in the staff report. This amendment will bring the City of Springfield Subdivision Regulations up to standard with the fire code that the city has adopted. Currently, cul-de-sacs have a forty foot radius. The fire code calls for a forty-five foot radius for a cul-de-sac with a length of less than 300 feet.

RPC: 9-18-05 ~ 05-SA-1 ~ Subdivision Amendments ~ City of Springfield

Motion by Mr. Peczkowski, seconded by Ms. Riley to recommend Approval of the proposed Subdivision Amendments to the Springfield City Commission.

VOTE: Motion carried unanimously.

05-TA-1 ~ Thoroughfare Plan Amendments ~ City of Springfield

Tim Gothard, City of Springfield Planning Staff, presented the staff report. Two changes are being requested:

1. Since the land north of the Dole facility is projected to be a technology park, security is a big issue. A request has been made to change the thoroughfare plan to show Benjamin Street to a minor street which does not make a connection between Gateway Blvd. and U.S. Route 40
2. The second amendment involves the elimination of a section of N. Plum St. between Columbia St. and Grant St. This street would be replaced by a connector street from

Plum St. to N. Yellow Springs St. This change is necessary to facilitate the construction of a hospital.

3. The third amendment involves abandonment of W. North St. between Wittenberg Ave. and N. Yellow Springs St. This street would be replaced by a new street which will begin on North St, east of Wittenberg and connect with existing North St., west of Yellow Springs St. This change is necessary to facilitate the construction of a hospital.

RPC: 9-19-05 ~ 05-TA-1 ~ Thoroughfare Plan Amendments ~ City of Springfield

Motion by Mr. Barnett, seconded by Ms. Riley to recommend Approval of the proposed Subdivision Amendments to the Springfield City Commission.

VOTE:

Yes: Mr. Cordle, Mr. Barnett, and Ms. Riley.

Abstain: Mr. Peczkowski.

Motion carried.

S-2005-99 ~ Zoning Map Amendments ~ Springfield Township

Philip Tritle, County Planning Staff, presented the staff report. By having the zoning maps digitized, zoning will now be "site specific" with accuracy at a very high level. This new map will be more effective for the general public also.

RPC: 9-20-05 ~ S-2005-99 ~ Zoning Map Amendments ~ Springfield Township

Motion by Ms. Riley, seconded by Mr. Peczkowski to recommend Approval of the adoption of the proposed Zoning Map Amendments to the Springfield Township Zoning Board and the Springfield Township Trustees.

VOTE: Motion carried unanimously.

CR-2005-99 ~ Modification to "Crossroads" Land Use Plan

Chris Moore, City of Springfield Planning Staff, presented the staff report. The "Crossroads" Comprehensive Plan needs to be updated so that the Springfield area can access a regional growth fund.

RPC: 9-21-05 ~ CR-2005-99 ~ Modification to "Crossroads" Land Use Plan

Motion by Mr. Peczkowski, seconded by Mr. Barnett to recommend Approval of the Modification to the "Crossroads" Land Use Plan to the Board of County Commissioners and to the Springfield City Commission.

VOTE: Motion carried unanimously.

Staff Comments:

None.

Adjournment

RPC: 9-22-05: Adjournment

Motion Ms. Riley, seconded by Mr. Peczkowski to adjourn the meeting.

VOTE: Motion carried unanimously.

The meeting was adjourned at 2:14 p.m.

Mr. Max Cordle, Chairperson

Mr. Shane Farnsworth, Secretary

NOTE FOR MINUTE BOOK: See additional information included following the minutes.

STAFF REPORT

TO: Central CEDA Planning Commission DATE: November 28, 2005

PREPARED BY: Heather Whitmore SUBJECT: Rezoning Case #05-Z-13

GENERAL INFORMATION:

Applicant: Jim Peifer, attorney for M & H Fabricating Company, Inc.,
PO Box 1087, Springfield, Ohio 45501.

Requested Action: Rezoning from Springfield Township I-1, Light Industrial
District to City of Springfield RM-12, Low Density Multi-
Family Residence District.

Purpose: "To construct apartments of the same type as those situated
on the approximately 7.261 acre tract adjacent to and
immediately west of the property sought to be rezoned."

Location: East of the Park Lake Apartments on Dwight Road.

Size: 3.73 acres.

Existing Land Use and Zoning: Industrial Building and vacant land zoned; Twp. I-1.

Surrounding Land Use and Zoning: North: Unincorporated County and Incorporated Zoned
 Springfield Township I-1
 East: Vacant Unincorporated County Zoned
 South: Single-family residences Unincorporated County
 Zoned Springfield Township R-1
 West: Single-family and multi-family residences
 Unincorporated County and Incorporated Zoned
 Springfield Township R-1 and R-6

Applicable Regulations: Title Nine: Chapter 1174 Zoning Amendments

File Date: October 24, 2005.

BACKGROUND:

The applicant seeks to rezone the subject parcel from Springfield Township I-1, Light Industrial District to City of Springfield RM-12, Low Density Multi-Family Residence District in order construct apartments of the same type as those situated on the approximately 7.261 acre tract

adjacent to and immediately west of the property. The site is presently used for light industry.

ANALYSIS:

Land Use:

The Crossroads Comprehensive Plan for Clark County Communities shows this area as “low density residential.” This type of density should be supported in Springfield Township where infrastructure is available.

Existing Community Land Use:

The proposed zoning matches existing surrounding development and will provide a buffer between higher intensity development to the north and low-density residential uses to the south.

STAFF RECOMMENDATION:

Approval of rezoning.

ATTACHMENTS:

1. Vicinity and zoning map
2. Petition with attachments

#05-66

PETITION FOR CHANGE OF ZONING DISTRICT

OBTAIN INSTRUCTIONS AS TO THE PREPARATION OF MAPS AND OTHER DATA OR INFORMATION PERTINENT TO THIS PARTICULAR PETITION FROM THE DEPARTMENT OF PLANNING AND DEVELOPMENT, CITY HALL, BEFORE FILING THIS PETITION WITH THE CITY CLERK. A NONREFUNDABLE FEE OF \$285 MUST BE SUBMITTED WITH THE APPLICATION.

NOTICE: PETITIONS FILED IN THE CITY CLERK'S OFFICE ARE NOT OFFICIALLY RECEIVED UNTIL THEY HAVE BEEN REVIEWED AND ACCEPTED BY THE CLERK OF THE CITY COMMISSION.

Honorable City Commission
City Hall
76 East High Street
Springfield OH 45502

The undersigned petitions that the following described property be rezoned from a(n) Springfield Township I-1 District to a(n) RM-12 District: containing 3.73 acres, situated at (give street address or simple location description):

Exhibit A

Attach either a metes and bounds description or subdivision and lot number description.

Exhibit B

Attach a plot plan of the petitioned lands and all other properties within 200 feet.

Exhibit C

Attach the names and addresses of all property owners within 200 feet of any part of the petitioned property. First obtain the permanent parcel numbers from the GIS Office in the A.B. Graham Building; then the property owners' names from the Auditor's Office; and then the property owners' addresses from the Treasurer's Office. Do not list tenants of properties or banks holding a loan on the property. (When ten or more contiguous properties are joined in one petition, these names need not be submitted).

Reviewed 10.21.05

Copy sent to Planning and Development and Legal Department 10/24/05

Rezone No. 05-2-13

D:/data/word/petitions/rezone petition

Revised 1/7/05

Receipt No. 178498

Exhibit D

Attach a sheet listing your reasons for the zoning district amendment.

See attached

Exhibit E

1. Is the requested zone compatible to existing zoning and land use in the area?

Yes

2. Does it conform to the City's adopted Land Use Plan and the best overall Community Development?

Yes

3. Does the proposed change in zoning conform to city's adopted Thoroughfare Plan?
Will it adversely affect the capacity of the present road system in the area?

Yes/No

4. Are adequate sanitary sewer, water, and storm drainage facilities available?

Yes

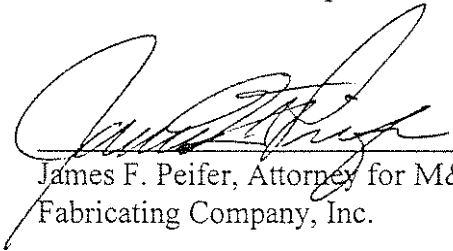
The undersigned deposes and states that I am the owner or an interested person of the property involved in this petition.


JAMES F. PEIFER, Attorney for M&H
Fabricating Company, Inc.

AFFIDAVIT

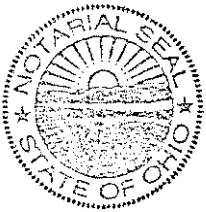
STATE OF OHIO)
) SS:
COUNTY OF CLARK)

I, James F. Peifer, Attorney for M&H Fabricating Company, Inc. being duly sworn, depose and say that I am an interested person of the rezoning involved in this petition and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.


James F. Peifer, Attorney for M&H
Fabricating Company, Inc.

P O Box 1087, Springfield,
Ohio 45501-1087
325-7365

Subscribed and sworn to before me this 21st day of October, 2005.



JULIE A. CRAFT
Notary Public, State of Ohio
My Commission Expires: 10-22-2007

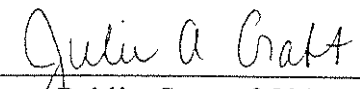

Notary Public, State of Ohio

EXHIBIT A

ANNEXATION OF 3.73 ACRES OF LAND TO THE CITY OF SPRINGFIELD, OHIO

East of N. Burnett Road and North of Dwight Road.

Situate in the State of Ohio, County of Clark and Township of Springfield, and lying in the northeast quarter of Section 23, Township 5, Range 9, B.M.R.S. and being more particularly described as follows:

Beginning at a point on the north line of Dwight Road (50'), 1647.10 feet east of it's intersection with the east line of Burnett Road, said point being on the west line of a 3.18 acre tract of land owned by the Board of Township Trustees of Springfield, of record in Official Records Volume 1640, Page 1372:

thence with the west line of said 3.18 acre tract measure in a northerly direction a distance of 592.40 feet to the southerly marginal line of the Indiana and Ohio Railroad (formerly the Detroit, Toledo and Ironton Railway Company), of record in Deed Volume 855. Page 87;

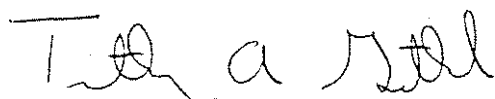
thence with the southerly line of the Indiana and Ohio Railroad measure in a northwesterly direction on a 2° 32' curve to the left a distance of 313.60 feet to the east line of a 7.10 acre tract of land owned by East Springfield Apartment Company, of record in Official Records Volume 1645, Page 1449;

thence with the east line of said 7.10 acre tract measure in a southerly direction a distance of 799.00 feet to the north line of Dwight Road;

thence with the north line of Dwight Road measure in an easterly direction a distance of 232.60 feet to the place of beginning, containing 3.73 acres, more or less.

Being all of Parcel I and Parcel II as described in deed to M & H Fabricating Company, Inc. of record in Deed Volume 696, Page 39

Prepared by THE CITY OF SPRINGFIELD, OHIO



Timothy A. Gothard, P.S. - Registration No. 6645

9.19.05

Date





EXHIBIT D

JOHN D. EMERICH
JAMES F. PEIFER
QUINTON R. DRESSEL

JAMES F. PEIFER
ATTORNEY AT LAW
SUITE 300, THE EDISON CENTER
20 SOUTH LIMESTONE STREET
P. O. BOX 1087
SPRINGFIELD, OHIO 45501-1087
TELEPHONE 937-325-7365
TELEFAX 937-325-9584

THOMAS T. TAGGART
(1926-1988)
RICHARD H. WEHLER
(1924-1992)

October 21, 2005

ATTN CONNIE CHAPPELL
CLERK OF THE CITY COMMISSION
OF THE CITY OF SPRINGFIELD
76 E HIGH ST
SPRINGFIELD OH 45502

RE: Rezoning request of M&H Fabricating Company, Inc.

Dear Ms. Chappell:

Transmitted herewith is the application of M&H Fabricating Company, Inc. to rezone an approximately 3.73 acre tract of real estate from its current Springfield Township I-1 District to an RM-12 Multi-Family District. Enclosed with this letter are the application for change of rezoning, a legal description for the property sought to be rezoned, a plot plan of the petitioned lands and all other properties located within 200 feet of the same, and a list of names and addresses of all property owners within 200 feet of any part of the petitioned property. Also enclosed is the required application fee.

The property which is the subject matter of the rezoning request is in the process of being annexed into the City of Springfield pursuant to an accelerated Annexation Petition as the territory lies within the boundaries of the CEDA Agreement executed by and among the City, Springfield Township Trustees and the Clark County Commission.

The applicant, M&H Fabricating Company, Inc., has entered into a contract for the sale of the property which is the subject matter of the zoning request with East Springfield Apartment Company, LLC, the owner of an apartment development immediately adjacent to and west of the territory sought to be annexed. East Springfield Apartment Company, LLC intends to develop on the 3.73 acre tract with apartments of the same type as those situated on the approximately 7.261 acre tract adjacent to an immediately west of the property sought to be rezoned. The proposed apartments are of the same type as were previously approved by the City and which have been erected on the 7.261 acre tract immediately to the west. The apartments are market apartments. It is

anticipated that the development of the area sought to be rezoned will provide an additional amenity and improvement to the area in and around the area sought to be rezoned.

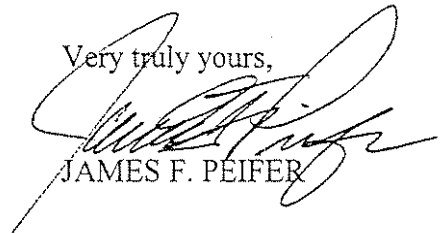
The uses found adjacent to the area sought to be rezoned are generally residential in character with a mixture of single family and multi-family development found there. The current use of the petition site is industrial in nature and immediately to the east and north of the territory sought to be rezoned is vacant ground owned by the Board of Township Trustees of Springfield Township as well as the DT&I Railroad right-of-way.

The developer proposes to combine the 3.73 acre tract with the 7.261 acre tract immediately adjacent and west of the petitioned territory and proposes to develop additional apartment buildings on the remaining portion of the 7.261 acre tract as well as the 3.73 acre tract which is the subject of this zoning application and to erect apartment buildings which are complementary to those which have already been erected on the 7.261 acre site thereby creating a single cohesive area of apartment development. Your applicant believes that such development is consistent with and will enhance the neighborhood.

Water and sewer facilities are available to serve the site.

Accordingly, your applicant requests that the petitioned ground be rezoned from its current Springfield Township I-1 District to an RM-12 District.

Very truly yours,

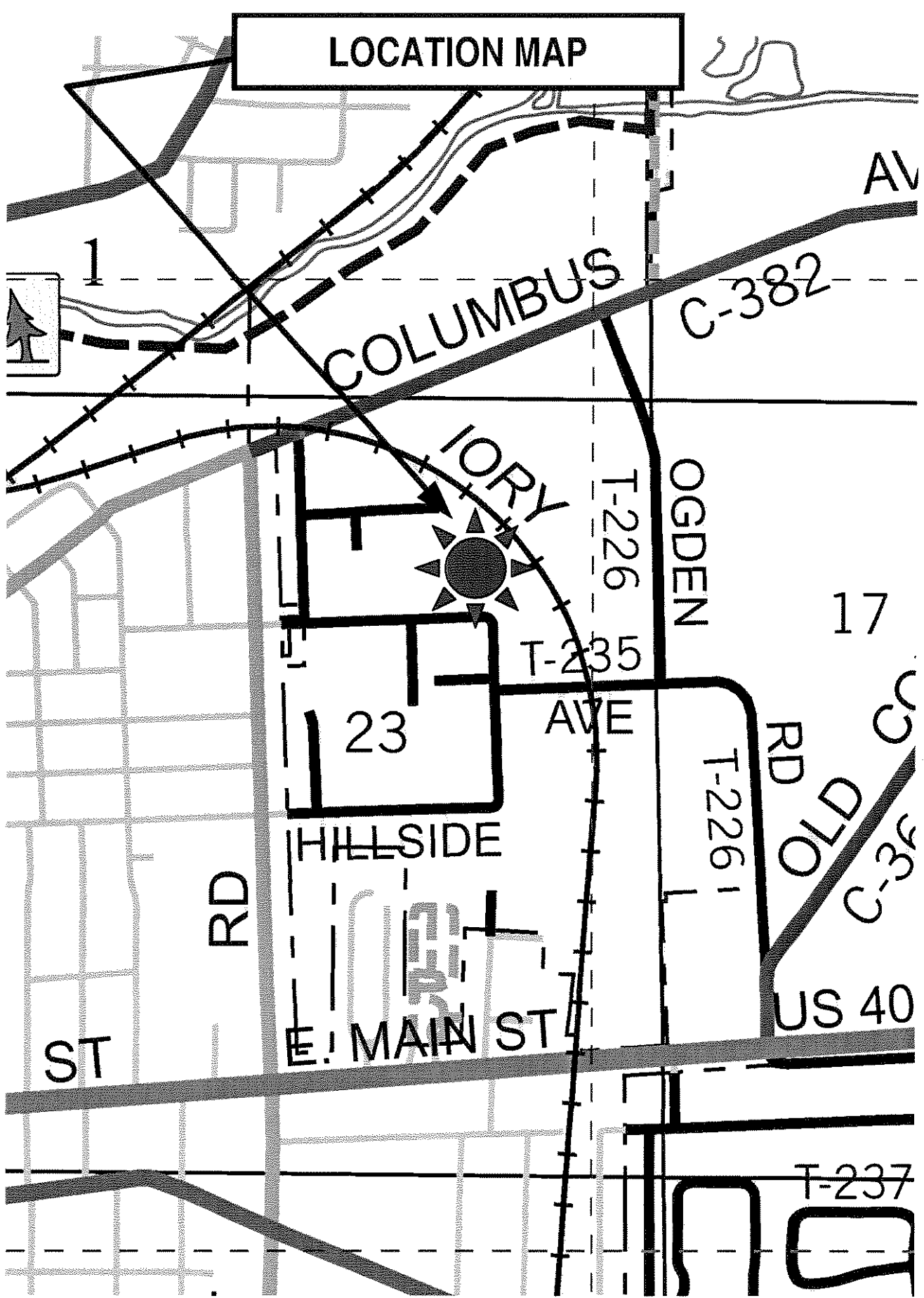


JAMES F. PEIFER

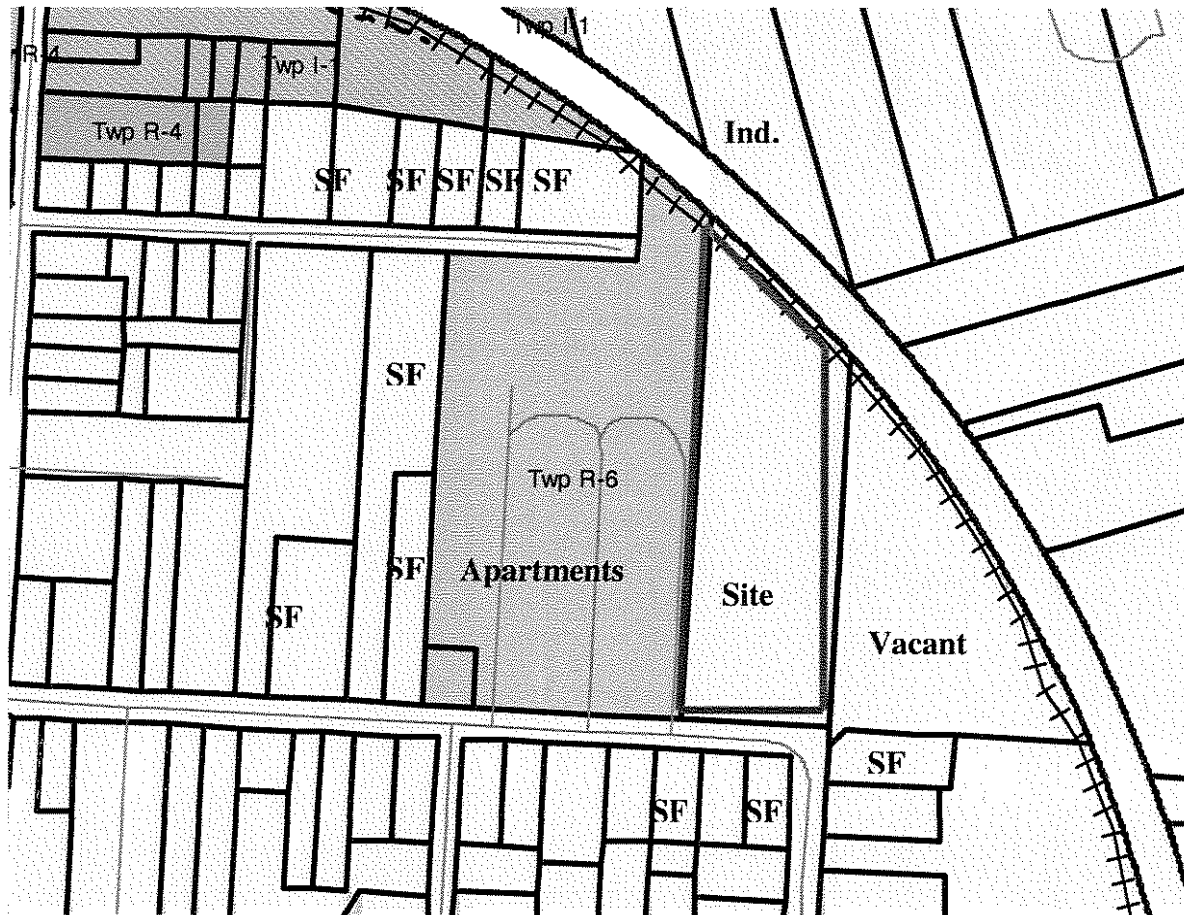
JFP/jac

Enclosures

cc: John R. Gelhaus, Sr.
Michael C. DeRamus



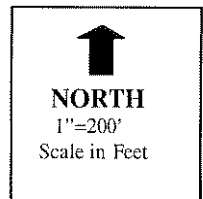
REZONING CASE #05-Z-13 2820 Dwight Rd.
Twp. I-1 (Light Industrial) to City RM-12 (Multi-Family)



Rezoning Case #05-Z-13

Request to change zoning for 3.73 acres located east of the Park Lake Apartments on Dwight Road from Springfield Township I-1, Light Industrial District to City of Springfield RM-12, Low Density Multi-Family Residence District.

December 2005



Aberfelda Hills Subdivision - Replat of Lots 21 & 22

To: CEDA Regional Planning Commission	Date of Meeting: December 8, 2005
From: Planning Staff	Date of Report: November 29, 2005

Subdivision Location: Springfield Twp. - 709 Shrine Rd.

Owner: Sheila Hageman & Sara Campbell

Surveyor: Hoppes Engineering

Engineer: Hoppes Engineering

Request: To replat two single-family residential lots from a north-south orientation to an east-west orientation

Facilities: On-site individual water & sewage

Platting History

Aberfelda Hills Addition No. 1 Subdivision was platted in 1946. Since that time, zoning has been adopted in Springfield Township. The current zoning is A (Agricultural) District. The lots do not meet today's zoning standards but are considered non-conforming.

Below are comments from the various county agencies:

County Engineer

The County Engineer received revised improvements plans for the re-plat of lots 21 & 22 of Aberfelda Hills Addition No. 1 on November 22, 2005. The plans are in general compliance with the county's technical specifications. Therefore, we have no objection to the proposal to re-plat the two lots of record.. (see November 23, 2005 letter)

Soil & Water Conservation

The Clark SWCD has received plans above site and provided the following comments relative to sediment /erosion control.

Construction activities which will result in the disturbance of one or more acres of land must obtain coverage by the National Pollutant Discharge Elimination System (NPDES) permit. The owner/developer shall submit a Notice of Intent application to Ohio EPA at least 21 days prior to the start of construction. If proposed work is less than one acre disturbed, it is not necessary to submit a sediment control plan, however the owner/developer must comply with other provisions of the Clark County Stormwater and Sediment Control Regulations. (see November 10, 2005 letter)

County Health District

Resolution R 170-05 approved preliminary and final approval for Aberfelda Hills Subdivision re-plat of lots 109 and 110 with standard stipulations. *(see copy of November 29th fax memo)*

Springfield Township Zoning Inspector

After receiving the Replat documentation on the Hageman Estate, I reviewed the information and find everything to be in agreement with what we discussed in your office on the November 4, 2005.

That said, there is one issue that should be noted; the existing buildings on the new parcels will not conform to A (Agriculture) set-backs and will continue to be "grandfathered", but all new buildings will have to conform to the A set-backs which are 50 feet on all sides per Article 26 of the Springfield Township Zoning Regulations (copy enclosed) or to the Aberfelda Hills Covenants depending on which is the more restrictive. *(see November 18, 2005 letter)*

County Planning

This property is classified by the Clark County Land Use Plan as Low density residential development (2 to 4 dwellings per acre - gross density) where such development can be serviced by central water and sewer service. Neighborhoods should be designed to connect with existing adjacent residential areas through stub street extensions. Clustering techniques should be considered to provide a transition to rural areas. Supporting commercial uses are not appropriate given the low density.

As noted above the purpose of this request is to replat two single-family residential lots from a north-south orientation to an east-west orientation. After replatting these two lots (21 & 22) will be known as Lots 109 & 110.

Recommendation

The Staff recommends approval of the replat of Aberfelda Hills Subdivision Lots 21 & 22 into Lots 109 & 110

Attachments:

County Engineer's Letter

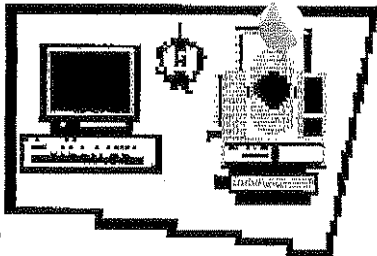
Soil and Water Conservation District's Letter

County Health Board fax memo

Springfield Twp. Zoning Inspector's Letter

Location Map

Final Replat Map



Clark County
Engineer's Department

4075 Laybourne Rd Springfield, Ohio 45505-3613

Bruce C. Smith, P.E., P.S.

Clark County Engineer

Office # (937) 328-2484

Fax # (937) 328-2473

www.clarkcountyoohio.gov/engineer

November 23, 2005

Clark County Planning Commission
25 West Pleasant Street
Springfield, Ohio 45506
Attention: Phil Tritle, Planner

Re: **Aberfelda Hills No. 1**
Re-plat Lot 21 & Lot 22
2 Lots ~ 2.025 acres

Mr. Tritle,

The County Engineer received revised improvements plans for the re-plat of lots 21 & 22 of Aberfelda Hills Addition No. 1 on November 22, 2005. The plans are in general compliance with the county's technical specifications. Therefore, we have no objection to the proposal to re-plat the two lots of record.

Sincerely,

Bruce C. Smith P.E., P.S.
Clark County Engineer

Kenneth D. Fenton
Deputy Engineer

Cc: Springfield Twp. Trustees

Donald Boyle - Road Superintendent
Paul W. DeButy P.E. - Design Engineer
Kenneth D. Fenton, P.S., Deputy Engineer
Doug Frank - Bridge Superintendent
Pamela Fulton - Office Assistant

William A. Pierce, P.S. - LIS Director
Shayne Gray - GIS/CAD Coordinator
Mark Niccolini - Ditch Maintenance Supervisor
Lew Richards - Traffic Supervisor
Ned G. Weber, Deputy Engineer



4400 Gateway Blvd. - Suite 103
Springfield, Ohio 45502

Phone (937) 328-4600/4601
Fax (937) 328-4606

With the Right to Own - Goes the Duty to Conserve

BOARD OF SUPERVISORS

Paul Snyder, Chairman
Alan Donaldson, Vice Chairman
John Ritter, Treasurer
David Stickney, Fiscal Agent
Adam Agle, Secretary

November 10, 2005

Clark County Planning Commission
Phillip Tritle, Senior Planner
25 West Pleasant St.
Springfield, OH 45506

Re: Aberfelda Hills ~ Final ~ Replat of 2 lots
Shrine Rd./Hageman Lane ~ CEDA

Mr. Tritle,

The Clark SWCD has received plans above site and provided the following comments relative to sediment/erosion control.

Construction activities which will result in the disturbance of one or more acres of land must obtain coverage by the National Pollutant Discharge Elimination System (NPDES) permit. The owner/developer shall submit a Notice of Intent application to Ohio EPA at least 21 days prior to the start of construction. If proposed work is less than one acre disturbed, it is not necessary to submit a sediment control plan, however the owner/developer must comply with other provisions of the Clark County Stormwater and Sediment Control Regulations.

Respectfully,

Christine L. Pence, CPESC
Urban Coordinator

CC: Hoppes Engineering, Dean Fenton

R 171-05 A resolution to issue preliminary and final approval for the Leffel Farms Subdivision, lots 1 through 4 inclusive, with standard stipulations.

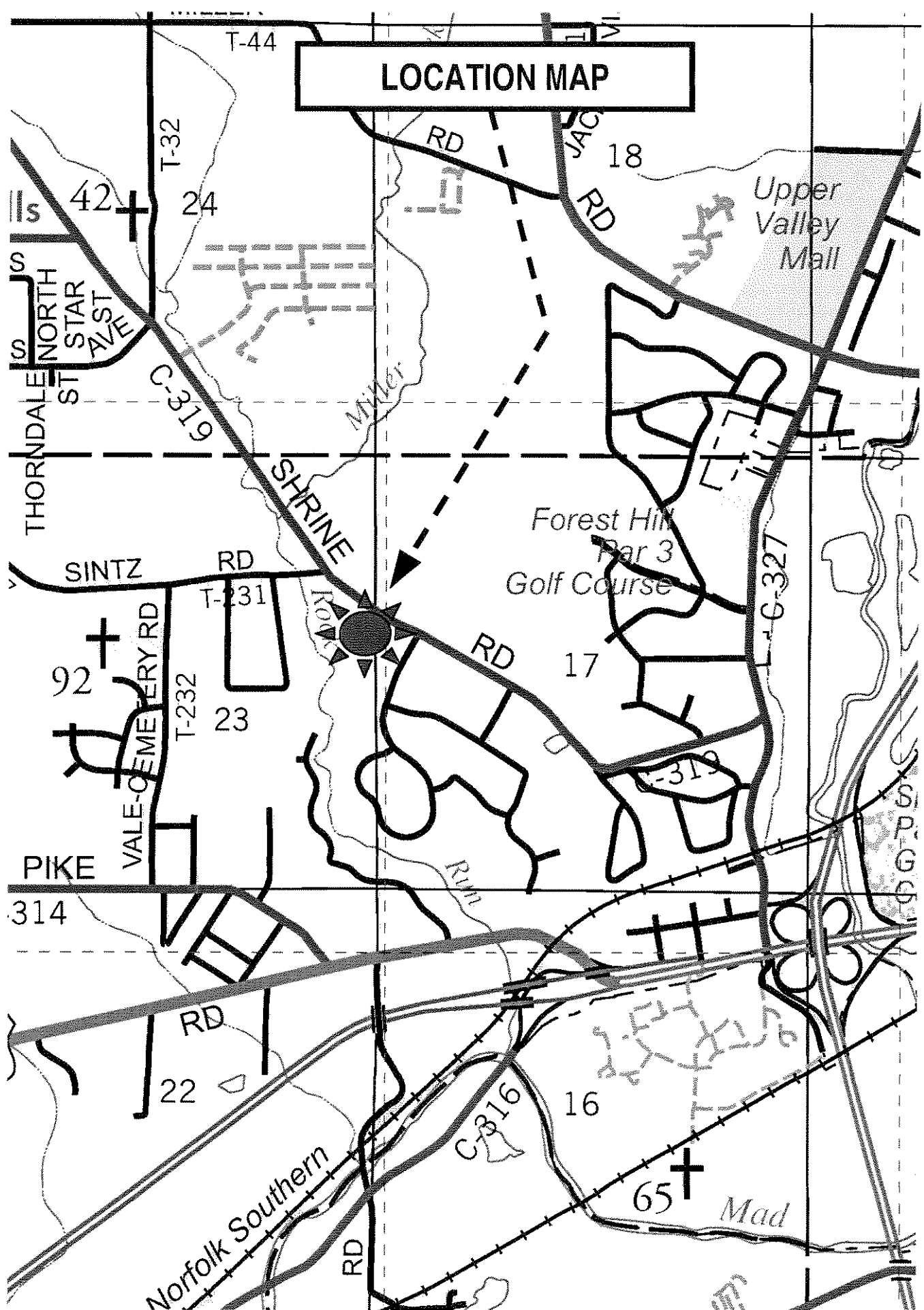
Moved by: Mr. Young Seconded by: Mr. Foster

MEMBER	FOR	AGAINST	ABSTAIN	ABSENT
Mr. Bartos	x			
Mr. Young	x			
Ms. Rice	x			
Ms. Weaver	x			
Mr. Elliott	x			
Mr. Foster	x			
Mr. Colvin	x			
Dr. Feagins	x			

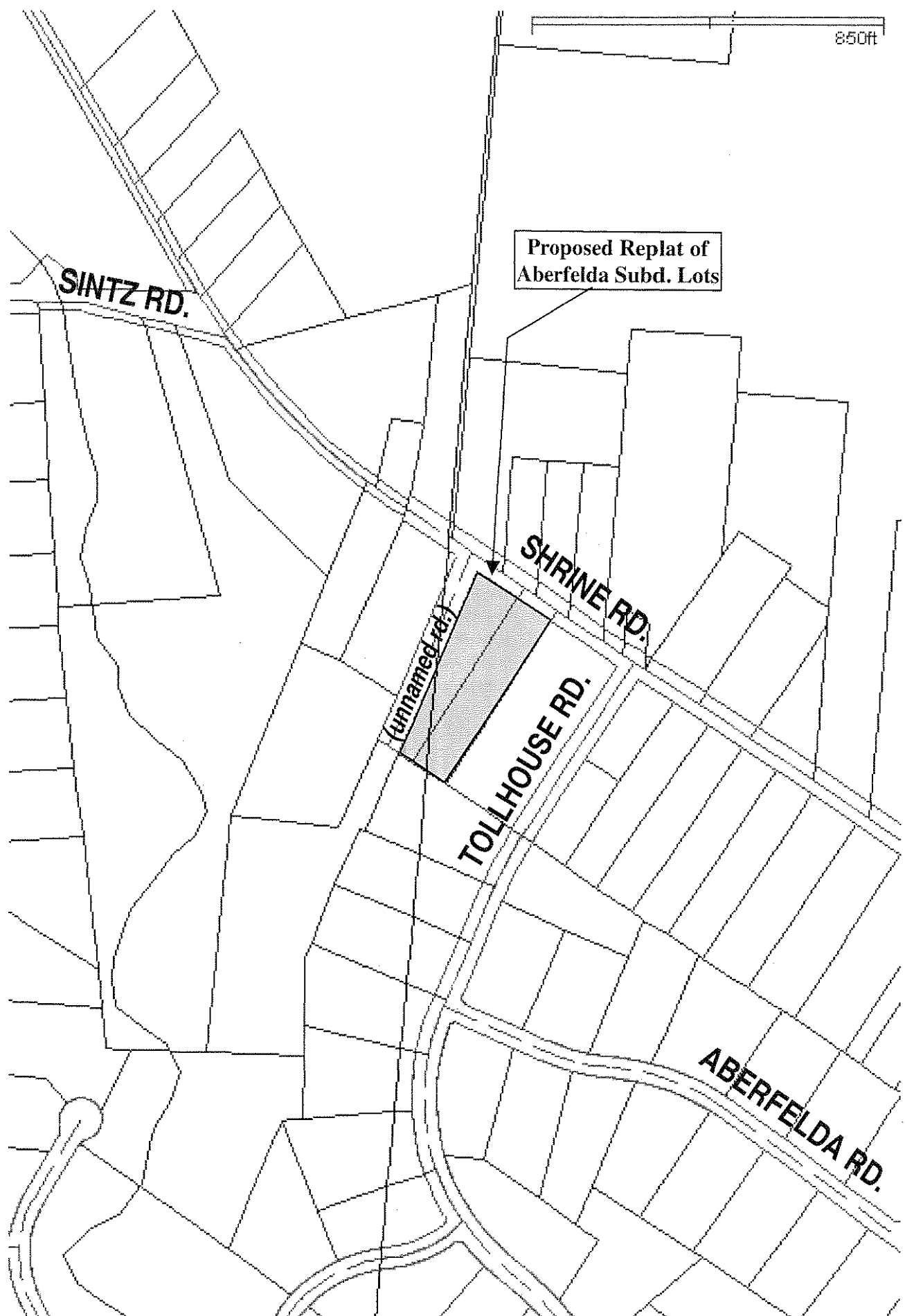
~~R~~ 170-05 A resolution to issue preliminary and final approval for the Aberfelda Hills Subdivision re-plat of lots 109 and 110 with standard stipulations.

Moved by: Dr. Feagins Seconded by: Mr. Elliott

MEMBER	FOR	AGAINST	ABSTAIN	ABSENT
Mr. Colvin	x			
Dr. Feagins	x			
Mr. Young	x			
Mr. Foster	x			
Ms. Rice	x			
Ms. Weaver	x			
Mr. Bartos	x			
Mr. Elliott	x			



ABERFELDA HILLS SUBDIVISION, Replat of Lots 21 & 22



ABERFELDA HILLS SUBDIVISION, Replat of Lots 21 & 22

[illegible]

ABERFELDA HILLS SUBDIVISION, Replat of Lots 21 & 22